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Labour disputes

* 2799 *Q.*—SRI K. MOIDU : Will the Hon. the Minister for Agriculture be pleased to state with reference to the answer to a supplementary question put on 5th May 1954 in connection with question No. 503, what steps the Government have taken to find employment for the workers of Pappinisseri Spinning and Weaving Mills who have been thrown out of employment for the last several months?

THE HON. SRI M. BHAKTAVATSALAM : The assets of the Aaron Spinning and Weaving Mills were brought to auction by the Debenture Trustees. The purchasers at the auction have started the working of the mill as a new company under the name of the Western India Cottons, Limited, Pappinisseri, from 6th June 1955. The Government have been able to persuade the new company to re-employ as many ex-workers of the Aaron Mills as possible in the interest of smooth relationship, though the new company are not legally under any obligation to do so. Out of 414 workers entertained in the company so far, 359 are ex-workers of Aaron Spinning and Weaving Mills. Out of about 12,000 spindles taken over 5,000 are now working and the remainder can be worked only when the machinery spares at present on order are received. Out of 407 looms, 150 are now working. The rest of the looms are being re-conditioned and, as this work progresses, further looms will be worked as early as possible.

SRI T. C. NARAYANAN NAMBIAR : Sir, in view of the fact that the figures given by the Hon. Minister are not exactly correct—this fact has been discussed previously with the new management of the Western India Cottons, Limited—and as there is unrest among the mill workers since the management did not adopt any principle with regard to the re-employment of the old workers of the Aaron Mills Workers' Union and the Government also wanted to provide the old workers as far as possible, will the Government see that a responsible officer from the Government side is sent there to discuss the matter and settle the question and see that the ex-workers of the Aaron Mills are employed with due consideration to the past service of the workers?

THE HON. SRI M. BHAKTAVATSALAM : Sir, the figures I have given may not certainly be up to date and correct because the management might have, since my collecting the figures, employed some more ex-workers of the Aaron Mills, but, as I have said in my answer, the Government have examined the position. It is considered to be a new mill and Government cannot legally compel the management to take particular workers or the old workers. But still the management have given an assurance and the Government are satisfied that the present management are taking mostly the ex-workers of the Aaron Mills.

SRI K. P. GOPALAN : Sir, are the Government aware that there was a judgment by the High Court in respect of a case in Salem in which it was held that even if a factory is closed

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and when a new management comes in, the service conditions of the old workers must be taken into account and that the old workers must be taken according to their service? Are the Government also aware of the fact that the Industrial Disputes (Amendment) Act passed by the Central Government emphatically says that even if a factory is closed either temporarily or permanently, the service conditions of the old workers must be taken into account? May I know from the Hon. Minister whether it is not an illegal thing that the management have done and if so, will the Government issue directions to the management to take in the old workers? May I also know whether it is not a fact that the new management has taken up the stand that whenever the workers want to come to the factory (even the old workers) must take a written permit from the Union which they have sponsored recently? Will the Government take into consideration all these things and see that all the old workers are taken back and issue directions to the management to follow that principle very strictly?

The Hon. Sri M. BHAKTAVATSALAM : The hon. Member referred to this judgment on a previous occasion and the Government have thoroughly examined the legal position with reference to that judgment. They have also examined the position with reference to the Industrial Disputes (Amendment) Act which was mentioned by the hon. Member. The Government have been definitely advised that these considerations would not apply in this case and that Government cannot compel the management to take back particular workers. Perhaps the workers who have been taken back—most of them are the ex-workers of the Aaron Mills—do not affiliate themselves with the Union in which the hon. Member is interested and probably that causes a lot of grievance.

Sri T. C. NARAYANAN NAMBIAR : Sir, on a point of personal explanation.

Mr. SPEAKER : I would request the hon. Member to put short supplementary questions.

Sri T. C. NARAYANAN NAMBIAR : Sir, I am bound to inform the Hon. Minister that as the President of the Union I can assure him we are more interested in the amelioration of the conditions of the workers and in maintaining the unity of the working classes and we stand by the principle of one union for one industry. It is not as if we want to disrupt the unity of the working classes. May I request the Hon. Minister to see that the management does not exploit the poverty of the workers and the disunity among them which was caused by the management itself and that the concessions already granted to the workers by the State Regulations and Acts are not taken away?

Sri K. VINAYAKAM : Sir, on a point of order. I believe that my hon. Friend rose up to offer a personal explanation and the Chair has allowed him to explain. But he has utilized the opportunity and has put it in the form of a question. Is it in order for the Hon. Minister to get up and answer that question?

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MR. SPEAKER : It is perfectly in order if the Hon. Minister gets up to answer that question. But it may not be in order to put a long supplementary question, advancing arguments.

THE HON. SRI M. BHAKTAVATSALAM : Sir, I can only say this much in answer to the supplementary question, namely, that Government will see that no exploitation of the workers by the management is resorted to, to the extent possible.

SRI V. R. KRISHNA AYYAR : Sir, may I know whether the Government have issued any clear, unambiguous and unmistakable instructions to the management concerned that to whichever Union the worker may belong, seniority in past service should be taken into account when making fresh appointments in the new mills?

THE HON. SRI M. BHAKTAVATSALAM : As I have already explained, the Government cannot issue any mandatory instructions, but in the presence of the hon. Member who is the President of the previous Union and in the presence of one of the representatives of the management, we had a thorough discussion and an understanding was arrived at that the management will take mostly the ex-workers of the Union, perhaps with the exception of a few individuals.

SRI K. P. GOPALAN : Sir, are the Government aware that when new workers are taken, workers with more service are taken as temporary workers and apprentices and are the Government also aware that the workers are not paid according to the Venkataramanayya Award and in accordance with the scales of pay paid in other mills not only in Malabar but also in Tamil Nad? Will the Government be pleased to set right these matters immediately?

THE HON. SRI M. BHAKTAVATSALAM : I would once again request the hon. Member to bear in mind the basis on which the whole thing has to be looked into. We cannot issue any mandates, but at the same time, if there is any grievance that the minimum wages are not paid to the workers, the Government will look into the question.

MR. SPEAKER : Question Nos. 2800 and 2801 will be taken up together.

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9 20 a.m. * 2800 *Q.*—SRI N. K. PALANISAMY : Will the Hon. the Minister for Agriculture be pleased to state whether the 68 workers of Mahaganapathi Mills, Pudukkottai, have been reinstated as per the 1954 award of the Madurai Industrial Tribunal?

THE HON. SRI M. BHAKTAVATSALAM : The Pudukkottai Mill Labour Union and the management of Mahaganapathy Spinning Mills, Limited came to a settlement according to which